

Notice of Allowability

Application No.

10/648,970

Examiner

Kriellion A. Sanders

Applicant(s)

GORTON ET AL.

Art Unit

1714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's communication filed 2/23/06.
2. ☒ The allowed claim(s) is/are 3-12, 14, 15 and 38-44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Kriellion A. Sanders
Primary Examiner
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REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

The prior art references of record fails to teach a composition comprising polychloroethylene and a stabilizing amount of a stable free radical stabilizer having the 2,2,5,5-tetra (lower alkyl) pyrrolidinyloxy group. The prior art references of record fail to teach a method for removing stable free radical stabilizer from a liquid composition comprising polychloroethylene, wherein the method comprises contacting said liquid with silica.

Applicant's claims 44, 14/44 and 15/14 are directed to a composition comprising polychloroethylene and a stabilizing amount of a stable free radical stabilizer having the 2,2,5,5-tetra (lower alkyl) pyrrolidinyloxy group. The claims distinguish over the closest prior art reference, Japanese 09-328444, which utilizes a stable free radical stabilizer having the 2,2,4,4-tetra (lower alkyl) piperidine-1-oxy group as opposed to a stable free radical stabilizer having the 2,2,5,5-tetra (lower alkyl) pyrrolidinyloxy group. Applicant's claims also distinguish over Ishibe, US Patent No. 4,404,412 and Kiabunde, US Patent No. 2,492,048 which disclose the use of N-alkyl pyrroles, as stabilizers for trichloroethylene. These references do not disclose the free radical stabilizer having the 2,2,5,5-tetra (lower alkyl) pyrrolidinyloxy group of applicant's claims.

Each of Moffat et al, US Patent No. 5,449,724 and Keoshkerian et al S Patent No. 6,156,858 disclose stable free radical agents having the 2,2,5,5-tetra (lower alkyl) pyrrolidinyloxy group, wherein the free radical agents are used in the polymerization of

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ethylenically unsaturated monomers. Moffat et al and Keoshkerian et al do not disclose the use of the free radical agents in polychloroethylene.

Applicant's claims 38, 39/38 and 40/39 are directed to a method for removing stable free radical stabilizer from a liquid composition comprising polychloroethylene comprising contacting said liquid with silica. The claims are distinguished over the closest prior art reference to Moiri et al. (Jpn. J. Toxicol. Environ. Health, 1993, 39(4), 317-323). The Japanese reference to Moiri et al discloses stabilized trichloroethane as opposed to trichloroethylene.

Applicant's claims 4-12 and 41-43 are directed to a method for removing stable free radical stabilizer having the 2,2,4,4-tetra (lower alkyl) piperidine-1-oxy group from a liquid composition comprising polychloroethylene comprising contacting said liquid with silica. The claims are distinguished over the closest prior art reference to Moiri et al. (Jpn. J. Toxicol. Environ. Health, 1993, 39(4), 317-323). The Japanese reference to Moiri et al does not disclose a method for removing stable free radical stabilizer having the 2,2,4,4-tetra (lower alkyl) piperidine-1-oxy group from trichloroethylene.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kriellion A. Sanders whose telephone number is 571-272-1122. The examiner can normally be reached on Monday through Thursday 6:30-7:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on 571-272-1119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kriellion A. Sanders
Primary Examiner
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